

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 3519 of 1997

For Approval and Signature:

Hon'ble MR.JUSTICE D.G.KARIA

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1. Whether Reporters of Local Papers may be allowed to see the judgements? No

2. To be referred to the Reporter or not? No

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3. Whether Their Lordships wish to see the fair copy of the judgement? No

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? No

5. Whether it is to be circulated to the Civil Judge?
No

SANJOO PRINTS PVT LTD.

Versus

GUJARAT ELECTRICITY BOARD

Appearance:

MR MANISH R BHATT for Petitioner

MR MD PANDYA for Respondent No. 1

CORAM : MR.JUSTICE D.G.KARIA

Date of decision: 02/05/97

ORAL JUDGEMENT

Rule. Mr. M.D. Pandya, ld. Advocate appearing by way of caveat on behalf of the respondents, waives service of rule.

2. In the facts and with the consent of the learned

counsel appearing for the parties, the matter is finally heard today.

3. The learned counsel, without prejudice to the rights and contentions of the respective parties and upon consensus being arrived at between them, it is ordered as follows:

(a) The petitioner do deposit the balance sum of the supplementary bill together with delayed payment charges within a period of three months by monthly installments, payable on 10th of every English Calendar Month beginning from 10th May of 1997. The first and second installment shall be of Rs. 2.50 lacs each and the third installment payable on or before 10th July shall be of the balance amount together with delayed payment charges.

(b) Upon the petitioner making payment as per above and subject thereto the respondent would afford to the petitioner another opportunity of hearing and adducing further evidence, in support of claim that the bill calls for further downward revision, before the appellate authority. Payments made as per above will be subject to the decision that may be taken upon such fresh representation and hearing. Such representation shall be made within 15 days hereof.

(c) During the interregnum period the petitioner shall continue to pay the current consumption charges and abide by the conditions of supply, and upon such compliance the power supply shall not be disconnected for non-payment of the balance amount of supplementary bill which is payable as above.

(d) The petitioner shall make appropriate application for transfer of power connection in its name complying with all the requirement as per requirement of the respondent Board within 15 days hereof.

(e) The petitioner shall within 2 weeks hereof file undertaking to abide by the stipulations of the order.

(f) Failure to abide by the above conditions would entitle the respondent Board to disconnect the power supply without further notice.

4. The petition accordingly stands disposed of in the aforesaid terms. Rule is made absolute with no costs. Direct service is permitted.
